

(3) The company referred Mr. Georgeson to a physician in Overland Park, Kansas, who released him to return to work on March 11, 1998. When Mr. Georgeson returned to work that day, during his final hour of work his right leg symptoms returned and he began limping again.

(4) After working on March 12, 1998, Mr. Georgeson again experienced right leg symptoms and had to stop working. He has not returned to work since that date.

(5) The Appeals Board agrees with the Assistant Director and also finds that Mr. Georgeson injured his right leg while working for Kansas Public Service in February and March 1998. The job of meter reader requires one to constantly walk over all types of surfaces and grades of terrain in all types of weather. Mr. Georgeson's testimony is credible and persuasive that he injured his leg at work.

CONCLUSIONS OF LAW

The preliminary hearing Order should be affirmed.

Mr. Georgeson's right leg injury arose out of and in the course of his employment with Kansas Public Service. Therefore, under K.S.A. 44-534a, Mr. Georgeson is entitled to receive the preliminary hearing benefits that have been awarded.

WHEREFORE, the Appeals Board affirms the preliminary hearing order dated July 21, 1998, entered by Assistant Director Brad E. Avery.

Dated this ____ day of September 1998.

BOARD MEMBER

c: Eugene C. Riling, Lawrence, KS
Bill W. Richerson, Kansas City, MO
Brad E. Avery, Assistant Director
Philip S. Harness, Director